## CONSTITUTION

PREAMBLE.

NORTH CAROLINA.

We, the people of the State of North Carolina, grateful to Almighty God, the Sovereign Ruler of Nations, for the preservation of the American Union, and the existence of our civil, political and religious liberties, and acknowledging our dependence upon Him for the continuance of those blessings to us and our posterity, do, for the more certain security thereof, and for the better government of this State, ordain and establish this Constitution: Sampson shall elect two sonators.

## ARTICLE 1.

DECLARATION OF LIGHTS. That the great general and essential principle of liberty and free government may be recognized and established, and that the relations of this State to the Union and government of the United States, and those of the people of this State to the rest of the American people, may be defined and affirmed, we do declare:

Section 1. That we hold it to be self-evident that all men are created equal; That they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness.

Sec. 2. That all political power is vested in, and derived from the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

Sec. 3. That the people of this State have the inherent, sole, and exclusive right of regulating the internal government and police thereof, and of altering and abolishing their Constitution and form of government, whenever it may be necessary to their safety and happiness; but every such right should be exercised in pursuance of law and consistently with the Constitution of the United

Sec. 4. That this State shall ever remain a member of the American Union; that the people theresenator. of are part of the American nation; that there is no right on the part of this State to secede, and that all attempts from whatever source or upon whatever pretext, to dissolve said Union, or to sever said nation, ought to be resisted with the whole power of the State.

Sec. 5. That every citizen of this tate owes paramount allegiance to the Constitution and Government of the United States, and that no law or ordinance of the State in contravention or subversion thereof, can have any binding force. Sec. 6. To maintain the honor and good faith of the State untarnished, the public debt, regularly contracted before and since the rebellion, shall be regarded as invislable and never be questioned; but the State shall never assume or pay, or authorize the collection of, any debt or obligation, express or implied, incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave. Sec. 7. No man or set of men are entitled to exclusive or separate emoluments or privileges

lic services. Sec. 8. The Legislative, Executive and Supreme judicial powers of the government ought to be forever separate and distinct from each other. Sec. 9. All power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights and ought not to be ex-

from the community but in consideration of pub-

Sec. 10. All elections ought to be free, Sec. 11. In all criminal prosecutions, every man has the right to be informed of the accusation against him and to confront the accusers and witnesses with other testimony, and to have counsel for his defence, and not be compelled to give evidence against himself, or to pay costs, jail fees, or necessary witness fees of the defence unless

Sec. 12. No person shall be put to answer any criminal charge, except as hereinafter allowed, but by indictment, presentment, or impeach-

Sec. 13. No person shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court. The Legislature may, however, provide other means of trial for petty misdemeaners with the right of appeal.

Sec. 14. Excessive bail should not be required. nor excessive fines imposed, nor cruel or unusual punishments inflicted. Sec. 15. General warrants, whereby any officer or messenger may be commanded to search sus-

pected places, without evidence of the act committed, or to seize any person or persons not named, whose offence is not particularly described and supported by evidence, are dangerous to liberty and ought not to be granted. Sec. 16. There shall be no imprisonment for debt in this State except in cases of fraud.

Sec. 17. No person ought to be taken, imprison ed or disseized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the

Sec. 18. Every person restrained of his liberty. is entitled to a remedy to inquire into the lawfulness thereof, and to remove the same, if unlawful; and such remedy ought not to be denied or

property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain assured and inviolable. great bulwarks of liberty, and therefore ought never to be restrained, but every individual shall be held responsible for the abuse of the came.

Sec. 22. As political rights and privileges are not dependent upon or modified by property, therefore no property qualification ought to effect the right to vote or hold office.

Sec. 23. The people of this State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent of themselves | Onslow, Pasquotank, Perquimans, Person, Polk, or their representatives in General Assembly free-

Sec. 24. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and as standing armies, in time of peace, are dangerous to liberty, they ought not to be kept up, and the military should be kept under strict subordination to, and governed by, the civil s chosen, one year immediately preceding his

Sec. 25. The people have a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances. Sec. 26. All men have a natural and unailenable

right to worship Almighty God according to the dictates of their own consciences, and no human authority should, in any case whatever, control or interfere with the rights of conscience. Sec. 27. The people have a right to the privileges of education, and it is the duty of the State

to guard and maintain that right. Sec. 28. For redress of grievances and for amending and strengthening the laws, elections

Sec. 29. A frequent recurrence to fundamental principles is absolutely necessary to preserve the

blessings of liberty. Sec. 30. No hereditary emoluments, priveleges, or honors ought to be granted or conferred in this

Sec. 31. Perpetuities and impropolies are contrary to the genius of a free State, and ought not to be allowed. Sec. 32. Retrospective laws, punishing acts com-

mitted before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty, wherefore, no ex post facto law ought to be made. No law taxing | Assembly by death, resignation or otherwise, writs of election shall be issued by the Governor retrospectively, sales, purchases, or other acts previously done, ought to be passed. Sec. 33. Slavery and involuntary servitude other-

wise than for crime whereof the parties shall have been duly convicted shall be, and are hereby for- on the credit of the State, or to pledge the faith ever prohibited within this State. the State ment of any debt, or to impose any tax upon the Sec. 31. The limits and boundaries of shall be and remain as they now are.

Sec. 35. All courts shall be open, and every les or towns to do so, unless the bill for the purperson for an injury done him in his lands, goods, pose shall have been read three several times in and three of whom shall constitute a quorum; person or reputation, shall have remedy by due each house of the General Assembly and passed three several readings, which readings shall have course of law and right and justice administered without sale, denial or delay. Sec. 36. No soldier shall in time of peace be each house respectively, and unless the year and quartered in any house without the consent of the | navs on the second and third readings of the bill

owner, nor in time of war, but in a manner pro-Section 37. This enumeration of rights shall not be construed to impair or deny others, retained by | ties. the people and all powers not herein delegated remain with the people.

# ARTICLE II.

LEGISLATIVE DEPARTMENT. Section 1. The Legislative authority shall be vested in two distinct branches, both dependent on the people, to-wit: a Senate and House of Rep-

resentatives. Sec. 2. The Senate and House of Representatives snall meet annually on the third Monday in November and when assembled, shall be denominated the General Assembly. Neither House shall proceed upon public business unless a majority of cers, and also a speaker (pro tempore) in the aball the members are actually present.

Sec. 3 The Senate shall be composed of fifty Senators biennially chosen by ballot. Sec. 4. Until the first session of the General Assembly, which shall be had after the year 1871, the Senate shall be composed of members elected from Districts constituted as follows First District-Perquimans, Chowan, Pasque-I prepare bills to be passed into laws, and the two

Second District-Martin, Washington and Tyr ell shall elect one senator. Third District-Beaufort and Hyde shall elect

one senator.

one senator.

ne sensior.

ver shall elect two senators

shall elect one senator.

elect one senator.

elect two senators.

enacor.

senator.

one senator.

shall elect two senators.

shall elect two senators.

hall elect one senator.

elect one senator.

elect one senator.

lect one senator.

elect one senator.

or more Senators.

shall elect one senator.

shall elect one senator.

Lincoln shall elect one senator.

Wilkes shall elect one senator.

langa shall elect one senator.

Rutherford shall elect one senator.

Transylvania shall elect one senator.

gomery shall elect one senator.

Fourteenth District-Bladen and Columbus

Fifteenth District-Robeson shall elect on

Sixteenth District-Cumberland, Harnett and

Seventeenth District-Johnston shall elect one

Eighteenth District-Greene and Wayne sha

Nineteenth District-Franklin and Wake shall

Twentieth District—Warren shall elect one sense

Twenty-first District-Granville and Person

Twenty-second District-Orange shall elect one

Twenty-third District-Chatham shall elect one

Twenty-fourth District-Caswell shall elect one

Twenty-fifth District-Rockingham shall elect

Twenty-sixth District-Alamance and Guilford

Twenty-seventh District-Randolph and Mont-

Twenty-eighth District-Moore and Richmond

Twenty-ninth District-Anson and Union shall

Thirtieth District-Mecklenburg shall elect one

Thirty-first District-Cabarrus and Stanly shall

Thirty-second District-Davie and Rowan shall

Thirty-third District-Davidson shall elect one

Thirty-fourth District-Fors; the and Stokes

Thirty-fifth District-Surry and Yadkin shall

Thirty-sixth District -- Alexander and Iredell

Thirty-seventh District-Catawba, Gaston and

Thirty-eighth District-Cleaveland, Polk and

Thirty-ninth District-Alleghany, Ashe and

Fortieth District-Buncombe, Henderson and

Forty-first District-Burke, Caldwell and Wa-

Forty-second District-Madison, Mitchell, Mc

Forty-third District-Clay, Cherokee, Haywood,

Sec. 5. An enumeration of the inhabitants of

the General Assembly in the year one thousand

Sec. 6. The House of Representatives shall be

tives, biennially chosen by ballot, to be elected by

the counties respectively, according to their pop-

not taxed, shall not be included. To each county

containing the said ratio and not twice the said

The county of Wake shall elect four members;

the counties of Craven, Granville, Halifax and

New Hanover shall elect three members each; the

counties of Caswell, Chatham, Cumberland, Da-

vidson, Duplin, Edgecombe, Franklin, Guilford,

fredell, Johnston, Mecklenburg, Northampton,

Orange, Pitt, Randolph, Robeson Rockingham.

Rowan, Warren and Wayne shall elect two mem-

bers cach; the counties of Alamanes, Alexander,

Alleghany, Anson, Ashe, Beaufort, Bertie Bladen,

Brunswick, Bancombe, Barke, Cabarrus, Cald-

well, Camden, Carteret, Catawba, Cherokee, Cho-

wan, Clay, Cleveland, Columbus, Currituck, Da-

vie, Forsyth, Gaston, Gates, Green, Harnett, Hen-

Jones, Lenoir, Lincoln, Macon, Madison, Martin,

McDowell, Mitchell, Montgomery, Moore, Nash,

Richmond, Rutherford, Sampson, Stanley, Stokes,

Surry, Transylvania, Tyrrell, Union, Washington,

Sec. 9. Each member of the Senate shall be not

Watauga, Wilkes, Wilson, Yadkin and Yancey

less than twenty-five years of age, shall have re-

have usually recided in the District for which he

Sec. 10. Each member of the House of Repre-

sentatives shall be a qualified elector of the State,

Sec. 11. In the election of all officers, whose ap-

pointment shall be conferred upon the General

Assembly by the Constitution, the vote shall be

Sec. 12. The General Assembly shall have

power to pass general laws regulating divorce

and alimony, but shall not have power to grant a

divorce or secure alimony in any individual case.

power to pass any private law to alter the name

Sec. 13. The General Assembly shall not have

born in lawful wedlock, or to restore to the rights

of citizenship any person convicted of any infa-

mous crime, but shall have power to pass general

Sec. 14. The General Assembly shall not pass

pass such law shall have been given under such

Sec. 15. If vacancies shall occur in the General

Sec. 16. No law shall be passed to raise money

of the State, directly or indirectly for the pay-

people of the State, or to allow the counties, cit-

been on three different days, and agreed to by

Sec. 17. The General Assembly shall regulate

Sec. 18. Each House shall keep a journal of its

proceedings, which shall be printed and made

public immediately after the adjournment of the

Sec. 19. Any member of either House may dis-

sent from and protest against any act or resolve,

which he may think injurious to the public or any

individual, and have the reasons of his dissent

Sec. 29. The House of Representatives sha

Sec. 22. The Senate shall choose its other offi-

Sec. 23. The style of the acts shall be-"The General Assembly of North Carolina do enact."
Sec. 24. Each house shall be judge of the qualification and election of its own members; shall

sence of the Lieutenant Governor, or when he

sit upon its own adjournment from day to day

shall exercise the office of Governor.

choose their own Speaker and other officers.

entails in such manner as to prevent perpetui

shall have been entered on the journal.

General Assembly

be equally divided.

entered upon the journal.

sided in the State as a citizen two years, and shall

rson, Haywood, Hertford, Hyde, Jackson,

hereinbefore directed to be laid off.

lowing manner, to wit:

shall elect one member each.

laws regulating the same.

Dowell and Yancey shall elect one senator.

Jackson and Macon shall elect one senator.

senator.

fore they pase into laws, and shull be signed by the presiding officers of both houses. Sec. 26. Each member of the General Assem-Fourth District - Northampton shall elect on ly, before taking his seat, shall take an oath or Fifth District-Bertie and Hertford shall elecand laws of the United States, and the Constitution of the State of North Carolina and will faith- abolished and the fact at issue tried by order of Sixth District-Halifax shall elect one senator fully discharge his duty as a member of the Sen-Seventh District-Edgecombe shall elect on ate or House of Representatives. Sec. 27. The terms of office for Senators and Eighth District-Pitt shall elect one senator.

r other place

members of the House of Representatives shall Ninth District-Nash and Wilson shall elect one commence at the time of their election; and the Tenth District -Craven and Carteret shall elect Eleventh District - Jones and Lenoir shall elec the first ensuing regular election. Sec. 28. Upon motion made and seconded Twelfth District - Duplin and Onslow shall elecither house, by one-fifth of the members present, the yeas and mays upon any question shall be ta-Thirteenth District-Brunswick and New Han

ken and entered upon the journals. Sec. 20. The election for members of the Gene ral Assembly shall be held for the respective districts and counties at the places where they are now held, or may be directed hereafter to be held, in such manner as may be prescribed by law, on of the Peace and special courts. the first Thursday in August, in the year one two years it reafter. But the General Assembly shall be necessary to a quorum, and the may change the time of holding the elections, - judgment shall not extend beyond removal from The first election shall be held when the vote and disqualification to hold office in this State. shall be taken on the ratification of this Constitu- but the party shall be liable to indictment and superior court for the county shall appoint to fill tion by the voters of the State, and the General punishment according to law. Assembly then elected shall meet on the fifteenth and the members then elected shall hold their Governor is impeached the Chief Justice shall seats until their successors are elected at a regu- preside.

# lar election.

ARTICLE III. EXECUTIVE DEPARTMENT. Section 1. The Executive Department shall consist of a Governor (in whom shall be vested the supreme executive power of the State) a Lieutenant Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Works, a Superintendent of Public Instruction and Attorney General, who shall be elected for a term of four years, by the qualified electors of the State, at the same time and places, and in the same manner as members of the General Assembly are elected. Their term of office shall commence on the first day of January next, after their election, and continue until their successors are elected and qualified : provided, that the officers first elected shall assume the duties of their office ten days after the approval of this Constitution by the Congress of the United States, and shall hold their offices four years from and after the first day of

Sec. 2. No person shall be e'ibib'e as Governor or Lieutenant Governor, unless he shall have attained the age of thirty years, shall have been a citizen of the United States five years, and shall have been a resident of this State for two years next before the election; nor shall the person elected to either of these two offices be eligible to the same office more than four years in : ny term of eight years, unless the office shall have been cast upon him as Lieutenant Governor or Presi-

dent of the Senate. Sec. 3. The return of every election for officers of the Executive Department shall be sealed up and transmitted to the seat of Government by the returning officers, directed to the Speaker of the House of Repr-sentatives, who shall open and publish the same in the presence of a majority of the members of both Houses of the General Assembly. The persons having the highest number of votes respectively, shall be declared duly the State shall be taken under the direction of elected; but if two or more be equal and highest in votes for the same office, then one of them eight hundred and seventy-five, and at the end of shall be chosen by joint ballot of both Houses of every ten years thereafter; and the said Senate | the General Assembly. Contested elections shall be determined by a joint vote of both Houses of Districts shall be so altered by the General Assembly at the first session after the return of every | the General Assembly, in such manner as shall be enumeration taken as aforesaid, or by order of prescribed by law. Congress. That each Senate District shall con-

Sec. 4. The Governor, before entering upon the tain as nearly as may be an equal number of in- duties of his office, shall, in the presence of the habitants excluding aliens and Indians not taxed, members of both branches of the General Assemand shall remain unaltered until the return of an- | bly, or before any Justice of the Supreme Court, other enumeration, and shall at all times consist | take an oath or affirmation, that he will support of contiguous territory and no county shall be di- | the constitution and laws of the United States and vided into the formation of a Senate District un- of the State of North Carolina, and that he will less such county shall be equitably entitled to two | faithfully perform the duties appertaining to the office of Governor to which he has been elected. Sec. 5. The Governor shall reside at the seat of composed of one hundred and twenty Representa- government of this State, and he shall, from time time, give the General Assembly information of the affairs of the State, and recommend to their ulation, and each county shall have at least one | consideration such measures as he shall deem ex-

Representative in the House of Representatives, Sec. 6. The Governor shall have power to grant although it may not contain the requisite ratio of reprieves, commutations and pardons, after conrepresentation; this apportionment shall be made by the General Assembly at the respective times | viction, for all offences, (except in cases of imand periods when the Districts for the Senate are peachment,) upon such conditions as he may think proper, subject to such regulations as may Sec. 7. In making the apportionment in the be provided by law relative to the manner of applying for pardons. He shall annually communi-House of Representatives the ratio of representation shall be ascertained by dividing the amount | cate to the General Assembly each case of reof the population of the State, exclusive of that | prieve, commutation or pardon granted; stating comprehended within those counties which do not | the name of each convict, the crime for which he severally contain the one hundred and twentieth | was convicted, the sentence and its date, the date part of the population of the State, by the num- of commutation, pardon, or reprieve, and the reaber of Representatives, less the number assigned | sons therefor.

to such counties; and in ascertaining the number | Sec. 7. The officers of the Executive Department of the population of the State, aliens and Indians | and of the Public Institutions of the State shall at least five days previous to each regular session of the General Assembly severally report to the Govratio there shall be assigned one representative; ernor who shall transmit such reports, with his to each county containing twice but not three | message, to the General Assembly ; and the Govtimes the said ratio, there shall be assigned two ernor may at any time, require information in apresentatives, and so on progressively and then | writing from the officers in the Executive Departthe remaining representatives shall be assigned ment upon any subject relating to the duties of cases. severally to the counties having the largest frac- their respective officers, and shall take care that the laws be faithfully executed. Sec. 8. The Governor shall be commander-in-

Sec. 8. Until the General Assembly shall have chief of the militia of the State, except when they made the apportionment as hereinbefore provided, the House of Representatives shall be composed shall be called into the service of the United of members elected from the counties in the fol-States. Sec. 9. The Governor shall have nower on ex traordinary occasions by and with the advice of

the council of State, to convene the General Assembly, in extra ression by his proclamation, sta-Sec. 10. The Governor shall nominate, and by and with the advice and consent of a majority of the senators elect, appoint all officers whose offices are established by this constitution, or which shall be created by law, and whose appointments

are not otherwise provided for, and no such offi-Sec. 11. The Lieutenant Governor shall be President of the senate, but shall have no vote unless the senate be equally divided. He shall, whilst acting as President of the senate, receive for his services the same pay which shall for the same period be allowed to the speaker of the house of of Representatives, and he shall receive no other

compensation except when he is acting as Gov-Sec. 12. In case of the impeachment of the Governor, his failure to qualify, his absence from the State, his inability to discharge the duties of his office, or in case the office of Governor shall i anywise become vacant, the powers, duties and emoluments of the office shall devolve upon the Lieut. Governor until the disabilities shall cesse, or a new Governor shall be elected and quatified. and shall have resided in the county for which he In every case in which the Lieutenant Governor is chosen for one year immediately preceding his shall be unable to preside over the senate, the

senators shall elect one of their own number President of their body; and the pwers, duties and emoluments of the office of Governor shall devolve upon him whenever the Lieutenant Governor shall, for any reason, be prevented from discharging the duties of such office as above provided, and he shall continue as acting Governor until the disabilities be removed or a new Governor or Lieutenant Governor shall be elected and qualified. Whenever, during the recess of the General Assembly, it shall become necessary for the President of the senate to administer the Governof any person, or to legitimate any person not ment, the Secretary of State shall convene the

senate, that they may elect such President. Sec. 13. The respective duties of the Secretary Public Works, Superintendent of Public Instruction and Attorney General shall be prescribed by any private law, unless it shall be made to aplaw. If the office of any of said officers shall be pear that thirty days notice of application to vacated by death, resignation, or otherwise, it direction, and in such manner as shall be provided other until the disability be removed or his successor be elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days under such regulations as may be prescribed by after the vacancy has taken place and the person chosen, shall hold the office for the remainder of

the unexpired term fixed in the first section of this Sec. 14. The Secretary of State, Auditor, Treasurer, Superintendent of Public Works, and Superintendent of Public Instruction shall constitute of fact requiring a jury. ex officio the Council of the State, who shall advise the Governor in the execution of his office, exclusively, and signed by the members present, criminal actions in the Superior Courts, and adfrom any part of which any member may enter his | vise the officers of justice in his district. dissent; and such Journal shall be placed before the legal advisor of the Executive Department.

ment or allowance whatever. Sec. 16. There shall be a seal of the State, which | the Commissioners for the county may appoint to shall be kept by the Governor, and used by him such office for the unexpired term. signed by the Governor and countersigned by the

Secretary of State.
Sec. 17. There shall be established in the office of the Secretary of State, a Bureau of Statistics. Agriculture and Immigration, under such regulations as the General Assembly may provide.

> ARTICLE IV. JUDICIAL DEPARTMENT.

tank, Currituck, Gates and Camden shall elect houses may also jointly adjourn to any future day law and suits in equity, and the forms of all such actions and suits shall be abolished, and there wherein the sum demanded shall not exceed two rebellion. shall be in this State but one form of action for Sec. 25. All bills and resolutions of a leislative the enforcement or protection of private rights or tate shall not be in controversy, all criminal matature shall be read three times in each house bethe redress of private wrongs which shall be decominated a civil action; and every action prosecuted by the people of the State as a party, against a person charged with a public offence. affirmation that he will support the Constitution | for the punishment of the same, shall be termed a criminal action Feigned issues shall also be

> court before a jury. Sec 2. Three Commissioners shall be appointed by this Convention to report to the General Asnew trial of the whole matter in the appellate sembly at its first session after this constitution shall be adopted by the people, rules of practice court; but if the judgment shall be for twenty-five term of office of those elected at the first elec- and procedure in accordance with the provisions on held under this Constitution shall terminate of the foregoing section, and the Conven,ion shall appellate court only upon matters of law. In all at the same time as if they had been elected at provide for the Commissioners a reasonable com-

pensation. Sec. 3. The same Commissioners shall also report to the General Assembly as soon as practica- all cases brought before a justice he shall make a ble, a code of law of North Carolina. The Governor shall have power to fill the vacancies occurring in this Commission.

Sec. 4. The judicial power of the State shall be vested in a court for the trial of impeachments, a Supreme court, Superior courts, courts of justices Sec. 5. The court for the trial of impeachments thousand eight hundred and seventy, and every shall be the Senate; a majority of the members

Sec. 6. The House of Represent tives solely, day after the approval thereof by the Congress of shall have the power of impeaching. No person the United States, if it fall not on Sunday, but if shall be convicted without the concurrence of it shall so fall, then ou the next day thereafter, two-thirds of the Senators present. When the

> Sec. 7. Treason against the State shall consist only in levying war against it or adhering to its capitation tax on every male inhaitant of the State enemies, giving them aid and comfort. No person over twenty-one and under fifty years of age, shall be convicted of treason unless on the testi- which shall be equal on each to the tax on promony of two witnesses to the same overt act, or perty valued at three hundred dollars in cash. on confession to open court. No conviction of The commissioners of the several counties may treason or attainder shall work corruption of exempt from capitation tax in special cases, on account of poverty and infirmity, and the State blood or forfeiture. Sec 8. The Supreme Court shall consist of and county capitation tax combined shall never Chief Justice and four Associate Justices. exceed two dollars on the head.

Sec. 9. There shall be two terms of the Supreme Court held at the seat of government of the capitation tax shall be applied to the purposes of State in each year, commencing on the first education and the support of the poor, but is no Monday in January, and first Monday in June, one year shall more than twenty-five per cent. and continuing as long as the public interest may thereof be appropriated to the latter purpose. form rate, all monies, credits, investments in Sec. 10. The Supreme Court shall have jurisdic-

tion to review,, upon appeal, any decision of bonds, stocks, joint stock companies or otherwise: the courts below, upon any matter of law or legal | and also, all real and personal property, accordference; but no issue of fact shall be tried be- ing to its true value in money. The General Asfore this court: and the court shall have power sembly may also tax trades, professions, franchises to issue any remedial writs necessary to give it and incomes. Provided, That no income shall be a general supervision and control of the inferior

Sec. 11. The Supreme Court shall have original jurisdiction to hear claims against the State, but priate legislation and by adequate taxation, proits decisions shall be merely recommendatory : no | vide for the prompt and regular payment of the process in the nature of execution shall issue interest on the public debt, and after the year thereon; they shall be reported to the next session of the General Assembly for its action.

Sec. 12. The State shall be divided into twelve udicial districts, for each of which a judge shall fund to be devoted to the payment of the public chosen, who shall hold a superior court debt. in each county in said district, at least twice in each year, to continue for two weeks, unless the par, the General Assembly shall have no power to business shall be sooner disposed of. Sec. 13. Until altered by law the following shall behalf of the State, except to supply a casual debe the judicial districts: First District-Currituck, Camden, Pasquo- unless it shall in the same bill levy alspecial tax to

tank. Perquimans, Chowan, Gates, Hertford, pay the interest annually. And the General As-Second District-Tyrrell, Hyde, Washington, credit of the State in aid of any person, association Beanfort, Martin, Pitt, Edgecombe. Third District Craven, Carteret, Jone Green, Lenoir, Wayne, Wilson

Fourth District Grunswick, New Hanover, the State has a direct pecuniary interest, unless Duplin, Columbus, Bladen, Sampson, Robeson. Fifth District—Cumberland, Harnett, Moore, people of the State, and be approved by a major-Richmond, Anson, Montgomery, Stanly, Union. Sixth District - Northampton, Warren, Halifax, Wake, Nash, Franklin, Johnston, Granville. Seventh District - Person, Orange, Chatham, ation. The General Assembly may exempt come-Randolph, Guilford, Alamance, Caswell, Rocking- teries and property held for educational, scien-

Eighth District-Stokes, Forsythe, Davidson, Rowan, Davie, Yadkin, Surry. Ninth District Catawba, Cabarrus, Mecklen- agricultural implements of mechanics and farmburg, Lincoln, Gaston, Cleveland, Rutherford, ers, libraries and scientific instruments, to the

Tenth District-Iredell, Burke, Caldwell, Wilkes. Alexander, McDowell. Eleventh District-Alleghany, Ashe. Watauga, Mitchell, Yancey, Madison, Buncombe. Tweifth District Henderson, Transylvania, Haywood, Macon, Jackson, Clay, Cherokee. Sec. 14. Every Judge of a Superior Court shall reside in his District while holding his office. The with the consent of the Governor, and the Gov- purpose. ernor, for good reasons which he shall report to the Legislature at its current or next session, may require any Judge to hold one or more specified terms of said courts in lieu of the Judge in whose Sec. 15. The Superior Courts shall have exclu- ted States and every male person who has been

sive original jurisdiction of all civil actions, naturalized, twenty-one years old or upward, who whereof exclusive original jurisdiction is not shall have resided in this State twelve months given to some other Courts, and of a criminal next preceding the election, and thirty days in actions in which the punishment now exceed the county in which he offers to vote, shall be a fine of fifty dollars or imprisonment for one late jurisdiction of all issues of law or fact, deter- istration of all electors, and no person shall be

mined by a Probate Judge or, a Justice of the Peace, where the matter is controvesy exceeds twenty-five dollars, and of matters of law in all

Sec. 17. The Clerks of the Superior Courts shall have jurisdiction of the probate of de le, the granting of letters testamentary and of administration, the appointment of guardians, the apprenticing of orphans, to audit the accounts of executors, administrators and guardians, and of such other matters as shall be prescribed by law. All issues of fact joined before them shall be transferred to the Superior Courts for trial, and apudgments in all matters of law. Sec. 18. In all issues of fact, joined in any court, the parties may waive the right to have the same

determined by j ry, in which case the finding of the Judge upon the fact, shall have the force and effect of a verdict of a jury. Sec. 19. The General Assembly shall provide for the establishment of Special Courts for the trial be disqualified for office; First, All persons who of misdemeanors in cities and towns, where the

same may be necessary. Sec. 20. The Clerk of the Supreme Court shall treason, perjury, or of any other infamous crime, be appointed by the Court and shall hold his office | since becoming citizens of the United States, or county, shall be elected by the qualified voters the rights of citizenship. thereof, at the time and in the manner prescribed

by law for the election of members of the General Assembly. Sec. 22. Clerks of the Superior Courts shall hold their offices for four years. Sec. 23 The Gener 1 Assembly shall prescribe and regulate the fees, salaries, and emoluments biennially, by the qualified voters thereof, as of all officers provided for in this Article ; but the | provided for the election of members of the Gensalaries of the Judges shall not be diminished eral Assembly, the following officers: A Treas-

during their continuance in office. Sec. 24. The laws of North Carolina, not repug- missioners. nant to this constitution, or to the constitution and laws of the United States, shall be in force ers to exercise a general supervision and control until lawfully altered. Sec. 25. Actions at law, and suits in equity.

pending when this Constitution shall go into effect, shall be transferred to the Courts having Register of Deeds shall be ex officio Clerk of the inrisdiction thereof, without prejudice by reason | of the change, and all such actions and suits, commenced before, and pending at, the adoption by the General Assembly, of the rules of practice same into convenient districts, to determine the and procedure herein provided for, shall be heard boundaries and prescribe the names of the said than sixteen months, unless educated by other and determined, according to the practice now in districts, and to report the same to the General means. use, unless otherwise provided for by said rules. | Assembly before the first day of January, 1869. Sec. 26. The Justices of the Supreme Court | Sec. 4. Upon the approval of the reports proshall be elected by the qualified voters of the state, as is provided for the election of members al Assembly, the said districts shall have corporately of the General Assembly. They shall hold their offices for eight years. The Judges of the Supeof State, Auditor, Treasurer, Superintendent of rior Courts shall be elected in like manner, and shall hold their offices for eight years; but the Judges of the Superior Courts elected at the first | Clerk and two Justices of the Peace, who shall | dollars, to be selected by such residents, shall be election under this constitution, shall, after their election, under the superintendence of the justishall be the duty of the Governor to appoint an- ces of the Supreme Court, be divided by lot into

two equal classes, one of which shall hold office for four years, the other for eight years. Sec. 27. The General Assembly may provide by law that the judges of the Superior Courts, instead of being elected by the voters of the whole State, as is herein provided for, shall be elected by the voters of their respective districts. Sec. 28. The Superior Courts shall be, at all

times, open for the transaction of all business

within their jurisdiction, except the trial of issues Sec. 29. A solicitor shall be elected for each judicial district by the qualified voters thereof, as is prescribed for members of the General Assemtheir advice and proceedings in this capacity shall bly, who shall hold office for the term of four be entered in a Journal to be kept for this purpose | years, and prosecute on behalf of the State, in all

Sec. 30. In each county a Sheriff and Coroner the General Assembly when called for by either shall be elected by the qualified voters thereof as House. The Attorney General shall be ex officio is prescribed for members of the General Assembly, and shall hold their offices for two years. In Sec. 15. The officers mentioned in this Article | each township there shall be a Constable, elected shall, at stated periods, receive for their services in like manner by the voters thereof, who shall a compensation to be established by law, which hold his office for two years. When there is no shall neither be increased nor diminished during | coroner in the county, the Clerk of the Superior the time for which they shall have been elected, Court for the county may appoint one for special and the said officers shall receive no other emolu- cases. In case of a vacancy existing for any cause, in any of the offices created by this section.

as occasion may require, and shall be called "the | Sec. 31. All vacancies occurring in the offices Great Seal of the State of North Carolina." All provided for by this Article of this Constitution grants and commissions shall be issued by the shall be filled by the appointment of the Gever-Sec. 21. The Lieutenant Governor shall preside name and by the authority of the State of North in the Senate, but shall have no vote unless it may Carolina, sealed with "the Great Seal of the State, pointees shall hold their places until the next regular election. five and six of this Article shall have been car-Sec. 32. The officers elected at the first election

held under this Constitution, shall hold their offi- ried into effect. ces for the term prescribed for them respectively, next ensuing after the next regular election for sions relating to municipal corporations shall re- ried. members of the General Assembly. By their main in force until legally changed, unless inconterms shall begin upon the approval of this Consistent with the provisions of this Constitution. Sec. 7. The husband may insure his own life for the sole use and benefit of his wife and chilstitution by the Congress of the United States.

scribe, of all civil actions founded on contract, hundred dollars, and wherein the title to rea! es-

ters arising within their counties wherein the pun-

six men to be summoned, who shall try the same.

The party against whom judgment shall be ren-

the Clerk of the Superior Court of his county.

he vacancy until an election can be regularly

ARTICLE V,

REVENUE AND TAXATION.

Section 1. The General Assembly shall levy

Sec. 2. The proceeds of the State and county

Sec. 3 Laws shall be passed taxing, by a uni

Sec. 4. The General Assembly shall by appro

ity of those who shall vote thereon.

proval of the General Assembly.

deemed an elector.

value of not exceeding three hundred dollars.

Sec. 8. Every act of the General Assembly, levy-

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE,

Section 1. Every male person born in the Uni-

Sec. 2. It shall be the duty of the General As-

sembly to provide from time to time for the reg-

allowed to vote without registration, or to regis-

ter, without first taking an oath or affirmation to

support and maintain the constitution and laws

or the United States, and the constitution and

Sec. 3. All elections by the people shall be by

Sec. 4. Every voter, except as hereinafter pro-

ided shall be eligible to office, but before enter

ing upon the discharge of the duties of his of-

fice, he shall take and subscribe the following

oath: "I ----, do solcannly swear (or affirm)

that I will support and maintain the Constitution

and laws of the United States and the Constitu-

tion and laws of North Carolina not inconsistent

therewith, and that I will faithfully discharge the

Sec. 5. The tollowing classes of persons shall

shall deny the being of Almighty God. Second.

All persons who shall have been convicted of

of corruption or mal-practice in office, unless

ARTICLE VII.

MUNICIPAL CORPORATIONS.

urer, Register of Deeds, Surveyor and Five Com-

Sec. 2. It shall be the duty of the Commission-

of the penal and charitatable institutions, Schools,

Roads, Bridges, levying of taxes and finances of

the County, as may be prescribed by law. The

Sec. 3. It shall be the duty of the Commission-

ers, first elected in each county, to divide the

government and shall be known as townships.

Sec. 5. In each township there shall be bien-

nially elected, by the qualified voters thereof, a

the supervision of the county Commissioners,

have control of the taxes and finances, roads and

bridges of the Township as may be prescribed by

Clerk shall also be ex officio Treasurer of the town-

Sec. 7. No county, city, town, or other muni-

levied, or collected by any officers of the same,

Sec. 8. No money shall be drawn from any

Sec. 9. All taxes levied by any county, city,

town or township, shall be uniform, and ad valo

rem, upon all property in the same, except pro-

perty exempted by this Constitution.

county or Township Treasure, except by author-

whose duties shall be prescribed by law.

board of Commissioners.

Sec. 1. In each County, there shall be elected,

duties of my office. So help me God.

ballot and all elections by the General Assembly

laws of North Carolina not inconsistent there-

is derived is taxed.

the vacancy for the unexpired term.

## ARTICLE VIII.

ishments cannot exceed a fine of fifty dollars, or imprisonment for one month. When an issue of CORPORATIONS OTHER THAN MUNICIPAL. Section 1. Corporations may be formed under fact shall be joined before a justice, on demand general laws, but shall not be created by special of either party thereto, he should cause a jury of act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the obdered in any civil action, may appeal to the Sujects of the corporations cannot be attained unperior Court from the same, and if the judgment | der general laws. All general laws and special shall exceed twenty-five dollars, there may be a acts passed, pursuant to this section, may be al-

ered from time to time or repealed. Sec. 2. Dues from corporations shall be securollars or less, then the case shall be heard in the d by such individual liabilities of the corporations and other means, as may be prescribed by cases of a criminal nature the party against whom Sec. 3. The term corporation, as used in this

judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In Article, shall be construed to include all associaions and; joint stock companies having any of the powers and privileges of corporations not offenders, and thus prevent crime, murder, arrecord of the proceedings, and like the same with possessed by individuals or partnerships. And son, burglary, and rape, and those only, may be all corporations shall have the right to sue, and punishable with death, if the General Assembly Sec. 34. When the office of Justice of the Peace shall become vacant, otherwise than by the exshall be subject to be seed, in all courts, in like | so enact. piration of the time, and in case of a failure by ases as natural persons.

Sec. 4. It shall be the duty of the Legislature meeting, make provision for the erection and the voters of any district to elect, the clerk of the o provide for the organization of cities, towns conduct of a State prison or Penitentiary at uperior court for the county, shall appoint to fill and incorporated villages, and to restrict their Sec. 35. In case the office of clerk of a superior power of taxation, assessments, borrowing mon- State. court for a county shall become vacant, otherwise y, contracting debts, and loaning their credit, than by the expiration of the term, and in case of o as to prevent abuses in assessments and cona failure by the people to elect, the Judge of the racting debts by each municipal corporation.

## ARTICLE IX.

EDUCATION.

Section 1. Religion, morality and knowledge being necessary to good government and happiness of mankind, schools and the means of education shall forever be encouraged. Sec. 2. The General Assembly, at its first session under this Constitution, shall provide by taxation and otherwise for a general and uniform ystem of Public schools, wherein tuition shall free of charges to all the children of the State

between the ages of six and twenty-one years. Sec. 3. Each county of the State shall be divi ed into a convenient number of districts, in which one or more Public Schools shall be mainained at least four months in every year; and f the Commissioners of any county shall fail to omply with the aforesaid requirements of this ection they shall be liable to indictment. Sec. 4. The proceeds of all lands that may have een, or hereafter may be, granted by the United States to this State and not otherwise specially propriated by the United States or heretofore y this State; also, all monies, stocks, bonds and ther property now belonging to any fund for

rposes of education; also, the net proceeds taxed when the property from which the income hat may accrue to the State, from sales of estrays, or from fines, penalties and forfeitures ; so, the proceeds of all sales of swamp lands belonging to the State; also, all money that shall be paid as an equivalent for expemptions from military duty; also, all grants, gifts and devise 1880, it shall lay a specific annual tax upon the that may hereafter be made to this State, and not real and personal property of the State, and the otherwise appropriated by the grant, gift or desum thus realized shall be set apart as a sinking vise, shall be securely invested and sacredly preserved as an irreducable fund, the annual income of which, together with so much of the ordinary Sec. 5. Until the bonds of the State shall be at revenue of the State as may be necessary shall be faithfully appropriated for establishing and percontract any new debt or pecuniary obligation in feeting education in this State, a system of Free Public Schools and for no other purposes or ficit, or for suppressing invasion or insurrection, uses whatsoever.

Sec. 5. The University of North Carolina, with its lands, emoluments and franchises, is under sembly shall have no power to give or lend the the control of the State, and shall be held to an inseperable connection with the Free Public averse to bearing arms, from religious scruples, or corporation, except to aid in the completion of | School system of the State. such railroads as may be unfinished at the time Sec. 6. The General Assembly shall provide of the adoption of this Constitution, or in which that the benefits of the University, as far as practicable, be extended to the youth of the State free of of the Militia, and for paying the same when the subject be submitted to a direct vote of the

expense for tuition; also, that all the property | called into active service which has heretofore accrued to the State, or shall hereafter accrue from escheats, unclaimed Sec 6. Property belonging to the state or to dividends or distributive shares of the estates of execute the law, suppress riots or insurrection municipal corporations shall be exempt from taxleceased persons, shall be appropriated to the and to repel invasion use of the University. Sec. 7. The Governor, Lieutenant Governor, tific, literary, charitable or religious purposes; Secretary of State, Treasurer, Auditor, Superinalso, wearing apparel, arms for muster houseendent of Public Works, Superintendent of Pub-

· hold and kitchen furniture, the mechanical and ic Instruction and Attorney General, shall contitute a State Board of Education. Sec. 8. The Governor shall be President and the Superintendent of Public Instruction shall Sec. 7. The taxes levied by the commissioners of be Secretary of the Board of Education. the several counties, for county purposes, shall Sec. 9. The Board of Education shall succeed be levied in like manner with the State taxes and o all the powers and trusts of the President and shall never exceed the double of the State tax, ex-Directors of the Literary Fund of North Caroliept for special purposes and with the special apna, and shall have full power to legislate and

make all needful rules and regulations in relation to free public schools and the educational fund ing a tax, shall state the special object to which it Judges may exchange Districts with each other is to be appled, and it shall be applied to no other of the State; but all acts, rules and regulations of said Board may be altered, amended or repealed by the General Assembly, and when so altered, amended or replealed, they shall not be reenacted by the board. Sec. 10. The first session of the Board of Eduation shall be held at the capital of the State

within fifteen days after the organization of the State Government under this Constitution; the time of future meetings may be determined by the Board Sec. 11. A majority of the Board shall constitute a quorum for the transaction of busi-

Sec. 12. The contingent expenses of the Board hall be provided for by the General Assem-

Sec. 13. The Board of Education shall elect Frustees for the University as follows: One proved thereof, then, and not otherwise, the Crustee for each county in the State, whose term same shall become a part of the Constitution. of office shall be eight years. The first meeting the Board shall be held within ten (10) days after heir election, and at this and every subquent recting, ten Trustees shall constitute a quorum e Trustees, at their first meeting shall be divid as equally as may be into four classes. The cats of the first class shall be vacated at the exration of two years; of the second class, at the piration of four years; of the third class, at the iration of six years; of the fourth class at the piration of eight years; so that one fourth may

Sec. 14. The Bord of Education and the Presient of the University shall be ex officio members the Board of Trustees of the University; and nall, with three other Trustees, to be appointed by the Board of Trustees, constitute the Execuive Committee of the Trustees of the Universiy of North Carolina, and shall be clothed with he powers delegated to the Executive Committee inder the existing organization of the Institution. The Governor shall be ex officio President Sec. 21. A Clerk of the Superior Court for each such persons shall have been legally restored to of the Board of Trustees and Chairman of the Executive Committee of the University. The Board of Education shall provide for the more perfect organization of the Board of Trustees. Sec. 15. All the privileges, rights, franchises and endowments heretofore granted to, or con-

ferred upon the Board of Trustees of the University of North Carolina by the Charter of 1789, or by any subsequent legislations, are hereby yested in the Board of Trustees authorized by this Constitution for the perpetual benefit of the Univer-Sec. 16. As soon as practicable after the adopion of this Constitution the General Assembly

shall establish and maintain, in connection with the University, a Department of Agriculture, of Mechanies, of Mining and of Normal Instruc-Sec. 17. The General Assembly is hereby empowered to enact that every child of sufficient

nental and physical ability shall attend the pubic schools during the period between the ages of six and eighteen years for a term of not less

### ARTICLE X. HOMESTEADS AND EXEMPTIONS.

Section 1. The personal property of any resident of this State to the value of five hundred constitute a board of trustees, and shall, under and is hereby exempt from sale under execution, or other formal process of any court, issued for

the collection of any debt. Sec. 2. Every homestead and the dwelling and law. The General Assembly may provide for the building used therewith, not exceeding in value election of a larger number of Justices of the one thousand dollars, to be selected by the owner Peace in cities and towns and in those Townships | thereof, or in lieu thereof, at the option of the in which cities and towns are situated. In every owner, any lot in the city, town or village, with Township there shall also be bienially elected a the dwelling or buildings used thereon, owned School Committee consisting of three persons and occupied by any resident of this State and not exceeding the value of one thousand dollars, Sec. 6. The township Board of Trustees, shall shall be excepted from sale under execution or assess the taxable property of their townships other final process obtained on any debt. But and make return to the County Commissioners, no property shall be exempt from sale for the for revision as may be prescribed by law. The taxes, or for payment of obligations contracted

Sec. 3. The homestead after the death of the owner thereof, shall be exempt from the payment cipal corporation shall contract any debt, pledge of any debt during the minority or his children ts faith, or loan its credit, nor shall any tax be or any one of them. Sec. 4. The provisions of sections one and accept for the necessary expenses thereof, unless two of this article shall not be so construed as The Convention was addressed by Col. W. by a vote of a majority of the qualified voters to prevent a laborer's lien for work done and A. Jenkins, of Warren, in a telling speech.

for the purchase of said premises.

performed for the person claiming such exemption, or a mechanic's lien for work done on the premises. Sec. 5. If the owner of a homestead die, leaving a widow, but no children, the same shall be

exempt from the debts of her husband, and the rents and profits thereof shall inure to her benefit during her widowhood, unless she be the own-Sec. 10. The county officers first elected under | er of a homestead in her own right the provisions of this article shall enter upon | Sec. 6. The real and personal property of any their duties ten days after the approval of this female in this State, acquired before marriage, Constitution by the Congress of the United and all property, real and personal, to which she

may after marriage become in any manner entiwho shall hold their places until sections four, be liable to any debts, obligations or engagements of her husband, and may be devised or bequeathed, and, with the written assent of her hus-Sec. 12. All Charters, ordinances and proviband, conveyed by her as if she were unmar-

Sec. 13. No County, City, Town or other mu- dren, and in case of the death of the husband the Sec. 33. The several justices of the peace shall nicipal corporation, shall assume or pay, or shall amount thus insured shall be paid over to the have exclusive original jurisdiction under such any tax be levied, or collected for the payment of wife and children, or the guardian, if under age, any debt, or the interest upon any debt, contract- for her or their own use, free from all the claims

ed directly or indirectly in aid or support of the of the representatives of her husband, or any of his creditors.

Sec. 8. Nothing contained in the foregoing section of this article shall operate to prevent the owner of a Homestead from disposing of the same by deed, but no deed made by the owner of a Homestead shall be valid without the voluntary signature and assent of his wife, signified on her rivate examination according to law.

#### ARTICLE XI. PUNISHMENTS, PENAL INSTITUTIONS AND PUBLIC

CHARITIES. Section 1. The following punishments only shall be known to the laws of this State, viz: Death, imprisonment, with or without hard labor,

fines, removal from offices and disqualification to hold and enjoy any office of honor, trust or profit under this State. Sec. 2. The object of punishments being not only to satisfy justice, but also to reform the

Sec. 3. The General Assembly shall, at its first some central and accessible point within the

Sec. 4. The General Assembly may provide for the erection of Houses of Correction, where vagrants and persons guilty of misdemeanors shall be restrained and usefully employed.

Sec. 5. A house or houses of refuge may be established whenever the public interest may require it, for the correction and instruction of other classes of offenders. Sec. 6. It shall be required by competent legislation that the structure and superintendent of penal institutions of the State, the county jails and city police prisons, secure the health and

comfort of the prisoners, and that male and female prisoners be never confined in the same room or cell. Sec. 7. Beneficent provisions for the poor, the unfortunate and orphans, being one of the first duties of a civilized and christian State, the Gen eral Assembly shall, at its first session, appoint and define the duties of a Board of Public Charities, to whom shall be entrusted the supervision of all charitable and penal State institutions, and

who shall annually report to the Governor upon their conditions, with suggestions for their imrovement. Sec. 8. There shall also, as soon as practicable, measures devised by the State for the estabshment of one or more orphan houses, where destitute orphans may be cared for, educated and

taught some business or trade. Sec. 9. It shall be the duty of the Legislature, s soon as practicable, to devise means for the education of idiots and inebriates. Sec. 10. The General Assembly shall provide that all the deaf mutes, the blind, and the insanc of the State shall be cared for at the charge of

the State. Sec. 11. It shall be steadily kept in view by the gislature, and the Board of Public Charities, hat all penal and charitable institutions should be made as nearly self-supporting as is consistent with the purposes of their creation.

## ARTICLE XII.

MILITIA. Section 1. All able-bodied male citizens of the State of North Carolina, between the ages of twenty-one and forty years, who are citizens of the United States, shall be liable to duty in the Militia; Provided, That all persons who may be shall be exempt therefrom. Sec. 2. The General Assembly shall provide for

Sec. 3. The Governor shall be Commander-in-Chief, and have power to call out the Militla to

the organizing, arming, equipping and discipline

Sec. 4. The General Assembly shall have power to make such exemptions as may be deemed ne cessary, and to enact laws that may be expedient for the government of the Militia.

#### ARTICLE XIII. AMENDMENTS.

Section 1. No Convention of the people shall be called by the General 'Assembly unless by the concurrence of two-thirds of all the members of

each House of the General Assembly. Sec. 2. No part of the Constitution of this State shall be altered unless a bill to alter the same shall have been read three times in each House of the General Assembly and agreed to by three fifths of the whole number of members of each House, respectively; not shall any alteration take place until the bill, so agreed to, shall have been published six months previous to a new election of members to the General Assembly. If, after such publication, the alteration proposed by the preceding General Assembly shall be agreed to, in the first session thereafter, by two-thirds of the whole representation in each House of the General Assembly, after the same shall have been read three times on three several days in each House, then the said General Assembly shall prescribe a mode by which the amendment or mendments may be submitted to the qualified voters of the House of Representative through out the State; and if, upon comparing the votes given in the whole State, it shall appear that a majority of the voters voting thereon have ap-

# ARTICLE XIV.

Section 1. All indictments which shall have been found, or may hereafter be found, for any crime or offence committed before this Constitu ion takes effect, may be proceeded upon in the roper Courts, but no punishment shall be inflicted which is forbidden by this Constitution, Sec. 2. No person who shall hereafter fight a duel, or assist in the same as a second, or send accept, or knowingly carry a challenge therefor or agree to go out of this State to fight a duel, shall hold any office in this State. Sec. 3. No money shall be drawn from the Treasury but in consequence of appropriations made by law, and an accurate account of the re-

ceipts and expenditures of the public money shall be annually published. Sec. 4. The General Assembly shall provide by proper legislation, for giving to mechanics and laborers an adequate lien on the subject matte of their labor. Sec. 5. In the absence of any contrary provi

sion, all officers in this State, whether heretofor elected, or appointed by the Governor, shall hold their positions only until other appointments are made by the Governor, or, if the officers and elective, until their successors shall have been chosen and duly qualified, according to the provisions of this Constitution. Sec. 6. The seat of Government in this State

shall remain at the city of Raleigh. Sec. 7. No person shall hold more than one lu crative office, under the State, at the same time Provided, That officers in the Militia, Justices of the Peace, Commissioners of Public Charities and Commissioners appointed for special pur poses, shall not be considered officers within the meaning of this section.

TREMENDOUS EXCITEMENT IN THE WEST! ENTHUSIASM OF THE WHITES AT WHITE HEAT!-GLORIOUS NEWS!-CHARLOTTE, March 19.—There were over three thousand White men in the mass meeting at Rutherfordton on Monday and Tuesday. beeches were made by Vance, Hoke and Gaither. Gov. Vance addressed a thousand white

men at Lincolnton to-day. By a show of hands, at both places, there was an unanimous vote against the Negro Equality Constitution. Tremendous cheering followed the vote.

Holden, Rodman, Coleman, Caldwell and Jenkins were flayed alive. Gov. Vance says that the meeting at Rutherfordton was the largest held there

since 1844. Over five hundred Red Strings in Rutherford have left the leagues in the last ten days.

Special Telegram to Carolinian.

THE CONVENTION AT HENDERSON. -The District Convention at Henderson yester day, was a large and enthusiastic demonstration in favor of the White Man's party. Wm. Eaton, Jr., of Warren, presided.

Samuel T. Williams, of Granville, was cominated for Congress. Dr. R. B. Haywood, of Wake, and Col. Wharton J. Green, of Warren, were appointed delegates to the National Democratic Convention. John W. Graham, of Orange, and John Manning, Jr., of Chat-

ham, alternates. The best feeling prevailed, and the greatest amount of enthusiasm pervaded the entire meeting. - Carolinian, 20th.

OLD JOHNSTON ALIVE !- Our canvassers and friends are doing noble work in John ston county. They have canvassed a good portion of the county. On Saturday next they meet at Selma, on the Railroad. Let the people come out to hear.

Alaska diamonds are the latest invenions in the way of sham brilliants.